

MINUTES OF BENTON COUNTY QUORUM COURT

November 20, 2014

A regular meeting of the Benton County Quorum Court was held on Thursday, November 20, 2014 at 6:00 p.m. at the Benton County Administration Building, 215 East Central Avenue, Bentonville, Arkansas, pursuant to proper call and notice.

County Judge Robert D. Clinard called the meeting to order.

Quorum Court Coordinator Janet Reaves called roll as follows:

14 JPs Present: Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. JP Steve Curry led the prayer.

CHANGES TO THE AGENDA:

None.

MINUTES:

JP J. Harrison made motion to approve the minutes of the October 23, 2014 Quorum Court meeting as distributed, seconded by JP Carr.

Motion passed by unanimous voice vote.

Minutes approved.

ELECTED OFFICIALS REPORTS:

None

COUNTY JUDGE'S REPORT:

County Judge Bob Clinard reported that: 1) Courthouse Feasibility discussions are ongoing and that they are looking at options for financing, phasing and location. He stated that we have accepted a generous grant from the Walton Foundation to assist in payment of the old courthouse waterproofing and renovation; 2) Fisher Ford Bridge is complete with the exception of entrance paving by the county depending on weather; 3) Colonel Meyers Bridge is complete and open; 5) the request for State Aid for improving NE J Street from Tiger Blvd to Price Coffee Road has been approved; 5) construction on the remaining flood damaged roads is underway; 6) discussions are ongoing about the county's involvement with access to the new Bentonville West High School.

COMMITTEE REPORTS:

JP Allen reported that a Finance Committee meeting had been held November 04, 2014 and that the Finance Budget Committee had met October 28, 2014 and November 06, 2014.

JP Curry reported that the Transportation Committee had been held November 13, 2014. He stated that Executive Director Joel Gardner gave a report on the 2014 accomplishments for Ozark Regional Transit.

PUBLIC COMMENTS:

Mike Clifford of Bentonville thanked the justices’ for their outstanding service to the county.

JP J. Harrison made motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Carr.

Motion passed by unanimous voice vote.

OLD BUSINESS:

None

NEW BUSINESS:

- (A) Proposed Resolution to Amend Resolution No. R-2014-08 to Provide for the Interim filling of a Vacancy in the Office of Benton County Sheriff during Times of Emergency and for Other Purposes;
Sponsor: JP Joel Jones

County Attorney George Spence read the proposed resolution by title only.

JP Jones made motion to adopt, seconded by JP J. Harrison.

There being no discussion, a roll call vote was recorded as follows:

- 14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
- 1 Absent: McKenzie

Resolution duly adopted and assigned **No. R-2014-34.**

- (B) Proposed Resolution Approving the Issuance of Not to Exceed \$10,250,000 of Assisted Living Facilities Revenue Bonds (Featherstone Senior Care Project), Series 2014, by the Public Facilities Board of Benton County, Arkansas and Prescribing Matters Relating Thereto; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed resolution by title only.

JP Allen made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

- 14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
- 1 Absent: McKenzie

Resolution duly adopted and assigned **No. R-2014-35.**

- (C) Proposed Resolution for the Governor and General Assembly to Immediately Remedy State Corrections Unfunded Mandates;
Sponsor: JP Kevin Harrison

County Attorney George Spence read the proposed resolution by title only.

JP K. Harrison made motion to adopt, seconded by JP Carr.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

Resolution duly adopted and assigned **No. R-2014-36.**

(D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2014-83 (2014 Benton County Budget) to *Amend Schedule I-Revenues by Fund* to Create a New Fund to be Named “BC Veterans Treatment Court Grant”, and Numbered 3752, in Department 0100, County Judge, and to Appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor: JP Joel Jones

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones made motion to adopt, seconded by JP Curry.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

Appropriation Ordinance duly adopted and assigned **No. O-2014-72.**

(E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2014-83 (2014 Benton County Budget) to *Amend Schedule I-Revenues by Fund* to Create a New Fund to be Named “Chaplin’s GIF Grant”, and Numbered 3760, in Department 0000, Non-Departmental, and to Appropriate Additional Monies and Authorize Additional Revenue Therein; Sponsor: JP Barry Moehring

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Moehring made motion to adopt, seconded by JP Anglin.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

Appropriation Ordinance duly adopted and assigned **No. O-2014-73.**

(F) Appropriation Ordinance Amending Appropriation Ordinance No. O-2013-83 (**2014** Benton County Budget), Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0418, Jail, Fund 1000; Sponsor: JP Jay Harrison

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP J. Harrison made motion to adopt, seconded by JP Jones.

JP Hernandez recommended that during the budget process that they not allow any department to estimate their utilities lower than the previous year rate.

JP K. Harrison stated that the additional expense for utilities is from opening up another pod at the jail that had been closed, in order to house more state prisoners.

There being no further discussion, a roll call vote was recorded as follows:

14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

Appropriation Ordinance duly adopted and assigned **No. O-2014-74.**

(G) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2013-83 (2014 Benton County Budget) to Appropriate Additional Monies in Department 0400, Sheriff; Fund 1000; Sponsor: JP Joel Jones

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones made motion to adopt, seconded by JP Chiocco.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

Appropriation Ordinance duly adopted and assigned **No. O-2014-75.**

(H) Proposed Appropriation Ordinance Amending Appropriation Ordinance No.O-2013-83 (2014 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0301, Ambulance Service, Fund 3450; Sponsor: JP Jay Harrison

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP J. Harrison made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

Appropriation ordinance duly adopted and assigned **No. O-2014-76.**

- (I) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2013-83 (2014 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0113, Accounting/Human Resources, Fund 1000; Sponsor: JP Joel Jones

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

Appropriation ordinance duly adopted and assigned **No. O-2014-77.**

- (J) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2013-83 (2014 Benton County Budget) to Transfer \$235,750 from EMS County Levy, Fund 3021, to County General, Fund 1000, and to Transfer \$235,750 from County General, Fund 1000, to Capital Projects, Fund 4000, and to *Amend Schedule 1 – Revenues by Fund* to Reflect Said Transfers ; Sponsor: JP Joel Jones

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones explained that this appropriation ordinance is to transfer \$235,750 collected for the EMS County Levy and to transfer into Capital Projects. He then made motion to adopt, seconded by JP Sandlin.

There being no further discussion, a roll call vote was recorded as follows:

14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

Appropriation ordinance duly adopted and assigned **No. O-2014-78.**

- (K) Proposed Appropriation Ordinance Request Levying 2014 Taxes for Collection in the Year 2015 for Benton County, and Each City, School District, and Special Tax Unit in Benton County Arkansas; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen made motion to adopt, seconded by JP Jones.

County Judge Bob Clinard noted that the City of Bella Vista by a Special Election vote increased millage 1.5 mills for the Firemen and Policemen pension.

County Attorney George Spence noted that the Ambulance Service Improvement District millage of 0.2 mills had been added.

There being no further discussion, a roll call vote was recorded as follows:

14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

Appropriation ordinance duly adopted and assigned **No. O-2014-79.**

(L) Proposed Appropriation Ordinance Amending Appropriation
Ordinance No. O-2013-83 (2014 Benton County Budget)
Appropriating Additional Monies and Authorizing
Additional Expenditures in Department 0109, Election
Commission, Fund 1000; Sponsor: JP Jay Harrison

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP J. Harrison made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers,
Moehring
1 Absent: McKenzie

Appropriation ordinance duly adopted and assigned **No. O-2014-80.**

(M) Proposed Appropriation Ordinance Amending Appropriation
Ordinance No. O-2013-83- (2014 Benton County Budget)
Appropriating Additional Monies and Authorizing Additional
Expenditures in Department 0113, Accounting/HR,
Fund 1002; Sponsor: JP Joel Jones

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones made motion to adopt, seconded by JP Carr.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Chiocco

Appropriation ordinance duly adopted and assigned **No. O-2014-81.**

Other Business:

JP Anglin asked County Attorney George Spence what the county’s obligation is regarding NEBCO as we go forward, since the millage has been passed.

George Spence stated that the millage ordinance that was adopted by the people of Benton County states the primary purpose for establishing the Ambulance Service Improvement District. He added that the ad valorem tax revenues to be collected may be used by Benton County to provide the availability of emergency medical services for the citizens of and visitors to Benton County in the unincorporated areas of Benton county, not including that portion of the County which is included in the Northeast Benton County Emergency Medical Service District as established by ordinance No. O-85-15 as amended in Ordinance No. O 2014-51 including specifically; 1) availability of one-way transportation by ambulance to an emergency medical facility; 2) availability of emergency care while en route to the emergency medical facility by qualified medical personnel.

JP Adams stated that he had been approached by some of the citizens in the NEBCO district who think that were mislead about the millage proposal. He said that they have been told that they were not going to receive any of the money even through the millage passed. He said that the county needs to look into reaching an agreement with NEBCO to provide some money.

County Judge Bob Clinard stated that is an unusual situation, they are different than the cities.

Lengthy discussion was held whether the county should pay Northeast Benton County Emergency Medical Services District the same way it will pay cities to provide service outside their boundaries.

JP Allen stated that NEBCO is not the same as the cities, they are only serving within their district, but we do not want to see them fail. He added that we need to encourage more of these types of EMS districts out in the county. He stated we have to be good stewards of the taxpayers' money for everyone in the county.

Announcements:

JP Allen announced that a Finance Budget Committee meeting will be held Monday, November 24, 2014 at 6:00 p.m.

JP Allen announced that a Finance Committee meeting will be held Thursday, December 04, 2014 at 6:00 p.m.

Adjournment:

There being no further business to come before the court, upon motion and second the meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Tena O'Brien
County Clerk
Prepared by Janet Reaves